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Subject: Clinton's Tax Plan: A Closer Look

PUBLIC POLICY

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TOP NEWS

Clinton's Tax Plan: A Closer Look

Hillary Clinton's proposal to fund government programs by raising taxes is not a radical departure from the Democratic Party's past policies, but her silence on the United States' corporate tax rate suggests she may be unwilling to change a system that experts say is in desperate need of reform. In the second installment of a two-part series, Law360 examines the tax plan of the Democratic presidential nominee.

Obama's Gender Identity Guidelines Blocked By Texas Judge

A Texas federal judge on Sunday said the federal government violated the Administrative Procedure Act when issuing guidance that the meaning of "sex" under Title IX includes gender identity, without public comment and in opposition to its existing definition of the term, and blocked enforcement of the directive nationwide.

Trade Groups Urge Permanent Block Of DOL 'Persuader' Rule

The U.S. Department of Labor should be permanently blocked from enforcing a new rule that expands employer disclosure requirements relating to union-organizing campaigns, nonprofit business groups told a Texas federal judge Monday, citing liberally to his prior order granting temporary injunctive relief.

Groups Raise Alarm Over DHS Bid For Social Media Info

Twenty-eight immigration, civil liberties and other groups released a letter Monday raising concerns over a U.S. Department of Homeland Security proposal to collect social media information from visa waiver program travelers, saying the request would be a privacy intrusion.

Airbnb, No Longer Subject To Anaheim Rent Law, Drops Suit

Airbnb on Monday dropped its federal action against Anaheim, California, over a municipal ordinance imposing fines on short-term rental websites after a city official informed the user-driven rental service by letter it wouldn't be subject to enforcement of the rule.

Calif. Teacher Tenure Laws Upheld As High Court Skips Case

The California Supreme Court cemented a victory for the state's teacher tenure system Monday when it decided not to review an appeals court decision upholding the constitutionality of the system opponents say sticks poor and minority students with bad teachers.

LAW FIRMS

Akerman
Altshuler Berzon
Anderson Kill
Archer & Greiner
Arent Fox
Baker & McKenzie
Brutzkus Gubner
Clifford Chance
Consovoy McCarthy
Covington & Burling
Day Pitney
Dinsmore & Shohl
Earthjustice
Faegre Baker
FisherBroyles
Florida Health Law Center
Foster LLP
Freshfields
Gibson Dunn
GrayRobinson
Greenspoon Marder
Hall Estill
Jacob Medinger
Jenner & Block
K&L Gates
Keller and Heckman
Kemp Smith
Latham & Watkins
Lewis Rice
Mayer Brown
McDonald McCann
Morgan Lewis
Morrison & Foerster
Munger Tolles

BANKING & SECURITIES

Debt-Equity Rules Look Like Rush Job, Sen. Hatch Warns

The U.S. Department of the Treasury may be violating congressional rules demanding transparency and accountability, in a rush to finalize proposed regulations that will recharacterize certain debt instruments as equity, according to a Monday letter from Senate Finance Committee Chairman Orrin Hatch, R-Utah.

Canada Watchdog To Study If New Rules Help Fund Investors

The Canadian Securities Administrators said Monday it will launch a two-year research project to measure the effectiveness of newly enacted rules designed to ensure investors receive thorough disclosure about the cost and performance of their mutual fund investments.

ENERGY & ENVIRONMENTAL

Okla.'s EPA Rule Challenge Belongs In 6th Circ., Gov't Says

Oklahoma's Tenth Circuit bid to reinstate a district court challenge to the U. S. Environmental Protection Agency's Clean Water Rule should be tossed so the dispute can be heard where it belongs, in the Sixth Circuit, the federal government said Friday.

Feds Want New Claim In GMO Salmon Approval Case Tossed

The United States urged a California federal judge Friday to trim litigation challenging the approval of a genetically engineered salmon for human consumption, saying there's no basis for a new allegation claiming the government must analyze the environmental impact of an expansion to the project.

Truckers, Energy Groups Rip FHWA's Greenhouse Gas Regs

More than two dozen transportation and energy trade groups said Friday that the Federal Highway Administration should not overstep its authority by attempting to measure greenhouse gas emissions as part of new proposed performance, transparency and accountability measures that states must hit to ease highway congestion.

EPA Wants Aircraft Emissions Standards Suit Tossed

The U.S. Environmental Protection Agency on Friday asked a D.C. federal judge to toss a lawsuit seeking to force the EPA to promulgate carbon emissions standards for aircraft, saying environmentalists sued prematurely.

Murray Energy Says EPA Can't Exit 'War On Coal' Suit

Murray Energy Corp. on Friday relied on portions of Ralph Nader's congressional testimony from the 1970s in its bid to make the U.S. Environmental Protection Agency face allegations that it's ignored the consequences of its air pollution regulations on jobs, urging a West Virginia federal judge to deny the agency's bid to toss the suit.

NY Blasts EPA, GE's Handling Of Hudson River Cleanup

New York state environmental regulators on Monday criticized the U.S. Environmental Protection Agency's supervision of General Electric's cleanup of pollutants in the Hudson River, saying contamination of the river remains at unacceptably high levels.

EMPLOYMENT

O'Melveny & Myers

Ogletree Deakins

Paul Hastings

Petti & Briones

Sidley Austin

Sklar Kirsh

Squire Patton Boggs

Stroock & Stroock

Thompson Coe

Vinson & Elkins

WilmerHale

COMPANIES

Airbnb Inc.

American Association of State Highway and Transportation Officials

American Civil Liberties Union

American Council of Life Insurers

American Immigration Lawyers Association

American Petroleum Institute Inc.

American Road & Transportation Builders Association

American Trucking Associations Inc.

BAE Systems

Brightstar Corp.

Bunge Limited

California Teachers Association

Center for Biological Diversity Inc

Charter Communications Inc.

Chevron Corporation

Comcast Corporation

Daimler AG

Deloitte Touche

Electronic Frontier Foundation

Energy Transfer Equity, L.P.

Facebook

Financial Industry Regulatory Authority Inc.

Foxconn

Great American Insurance Company

HomeAway Inc.

Impax Laboratories, Inc.

Inova Health System Inc.

KBR, Inc.

Opponents Mischaracterize Fiduciary Rule, DOL Says

The U.S. Department of Labor told a Texas federal judge Friday that new rules to force more retirement account advisers to act in their clients' best interests are a legal move to protect investors by closing conflict-of-interest loopholes that could have cost the public at least \$100 billion over the next 10 years.

NJ Town Fired Atty For No Reason, 3rd Circ. Hears

A New Jersey attorney alleging he was fired from a municipal post for no reason has told the Third Circuit that the town officials who canned him are misinterpreting the state municipal charter law granting officials authority to terminate workers, but only with cause.

OSHA Fights Injunction Bid Over Injury Reporting Rule

The Occupational Safety and Health Administration on Friday attacked as "meritless" an attempt by several groups of builders to argue that its new rule regarding workplace injury and illness reporting is an overreach because Congress authorized it to do "whatever it deems necessary" to ensure accurate recordkeeping.

PRIVACY & CONSUMER PROTECTION

State Dept. Has A Month To Review 15K New Clinton Emails

A D.C. federal judge on Monday gave the U.S. State Department a month to review some 15,000 emails it sent to or received from Hillary Clinton during her tenure as secretary of state for eventual production to a conservative activist group in a Freedom of Information Act lawsuit.

Calif. Bill To Secure Biometric, Other Data Facing Deadline

A California bill to ensure privacy protections for personal consumer data was amended on Friday, addressing business concerns and tightening its focus on geolocation and biometric information, and now faces an Aug. 31 deadline for passage.

INTERNATIONAL TRADE

Illinois Effects Anti-Human-Trafficking Laws

Illinois Gov. Bruce Rauner signed two bills aimed at fighting human trafficking in one of the nation's most populous states Sunday.

US Customs Renews Ban On Ruby, Jadeite From Burma

U.S. Customs and Border Protection said it would be updating its rules governing imports of certain precious gems linked to slave labor and arms dealing in Burma, continuing a Bush-era ban on gems from the Southeast Asian nation that expired in 2013.

Senator Asks FTC To Investigate Mylan's EpiPen Price Soar

U.S. Sen. Amy Klobuchar on Monday asked the Federal Trade Commission to investigate whether any shady behavior has caused Mylan NV to dramatically increase the cost of its epinephrine injector EpiPen 400-fold over seven years and urged the Senate Judiciary Committee to hold a hearing on the price hike.

EU-Colombia Booze Battle Headed For WTO Panel

Kroll Ontrack

Merck KGaA

Murray Energy Corp.

Mylan NV

National Association of Home Builders

National Association of Manufacturers

National Cable & Telecommunications Association

National Federation of Independent Business

National Retail Federation Inc.

Natural Resources Defense Council

Office Depot Inc.

Raytheon Company

SIFMA

Sanofi-Aventis

Sharp Corp.

Siemens AG

Sierra Club

Smithfield Foods Inc.

StanCorp Financial Group, Inc.

Staples, Inc.

Syngenta AG

Teva Pharmaceutical Industries Limited

U.S. Chamber of Commerce

Verizon Communications

Whole Foods Market, Inc.

Yahoo! Inc.

GOVERNMENT AGENCIES

Alabama-Coushatta Tribe of Texas

Antitrust Modernization Commission

Army Corps of Engineers

Commodity Futures Trading Commission

European Commission

Executive Office of the President

Federal Aviation Administration

Federal Bureau of Investigation

Federal Communications Commission

Federal Highway Administration

The European Union on Monday asked the World Trade Organization to form a dispute settlement panel that will be tasked with assessing whether Colombia's taxes and regulatory hurdles against imported liquor have violated the multilateral trade body's rules.

GOP Senator Calls For Iran Payment Hearing

Sen. Mark Kirk, R-Ill., on Sunday pledged to investigate the \$400 million the Obama administration paid to Iran in January, which coincided with the release of three American prisoners.

TAX

Colo. Dispensary Moves For Refund In Marijuana Tax Row

A Colorado medical marijuana dispensary on Friday asked a federal judge to order a refund of its denied tax deductions, arguing that the Internal Revenue Service did not have the evidence or authority to nix them over the company's purported ties to controlled substances trafficking.

Illinois Becomes Latest State To Eliminate 'Tampon Tax'

Illinois Gov. Bruce Rauner on Friday signed a "tampon tax" elimination bill, making Illinois the third state in the U.S. to pass into law legislation repealing the "luxury item" classification of feminine hygiene products.

NATIVE AMERICAN

Texas Tribe Urges Federal Judge To Lift Bingo Ban

The Alabama-Coushatta tribe of Texas on Friday urged a federal court to lift an injunction blocking the tribe from offering electronic bingo on its reservation, saying that a 2015 National Indian Gaming Commission ruling that the tribe is allowed to operate the game is entitled to deference from the court.

TELECOMMUNICATIONS

Cable Group Pushes FCC Against Special Access Rate Regs

The National Cable & Telecommunications Association has urged the Federal Communications Commission to step away from plans for new regulation in the market for special access services, saying it would be particularly harmful to apply rate regulations to cable companies.

Charter Urges FCC To Let It Bundle Cable Modems

Charter Communications Inc. is urging the Federal Communications Commission not to require telecommunications companies to separately list cable modem charges on their bills in its broadband plan, saying in a letter released Friday that Charter provides the modems at no extra charge.

Verizon Lobbies FCC Against Consumer Marketing Consent

The Federal Communications Commission's broadband service provider privacy rules should not mandate opt-in or opt-out consent for companies that market services to customers, who have other ways to avoid the marketing, Verizon has told the regulator.

EXPERT ANALYSIS

How Clinton Could Enact Broad Immigration Reform

- Federal Trade Commission
- Fish and Wildlife Service
- Food and Drug Administration
- Government Accountability Office
- Illinois Department of Natural Resources
- Immigration and Customs Enforcement
- Internal Revenue Service
- Municipal Securities Rulemaking Board
- National Highway Traffic Safety Administration
- National Indian Gaming Commission
- New York State Department of Environmental Conservation
- Occupational Safety and Health Administration
- Office of the U.S. Trade Representative
- Quinault Indian Nation
- Securities and Exchange Commission
- U.S. Army
- U.S. Customs and Border Protection
- U.S. Department of Agriculture
- U.S. Department of Defense
- U.S. Department of Education
- U.S. Department of Health and Human Services
- U.S. Department of Homeland Security
- U.S. Department of Justice
- U.S. Department of Labor
- U.S. Department of State
- U.S. Department of Transportation
- U.S. Department of the Treasury
- U.S. Environmental Protection Agency
- U.S. Senate
- U.S. Supreme Court
- Ysleta del Sur Pueblo

For students of immigration policy, this presidential election offers the greatest contrast between two major presidential candidates of any election in more than a century. Undoubtedly, comprehensive immigration reform could be one of the major victories of a newly elected President Hillary Clinton, says Charles Foster, chairman at Foster LLP and former immigration policy adviser to Presidents George W. Bush and Barack Obama.

Impact Of Pay-To-Play Rules In 2016 Election Cycle

Vice presidential candidate Mike Pence's authority over the Indiana Public Retirement System and the Indiana Education Savings Authority as governor of Indiana may limit political contributions to the Donald Trump presidential campaign from a wide spectrum of financial institutions. Investment advisers, brokers, dealers and municipal advisers, among others, are potentially affected, say attorneys with K&L Gates LLP.

FTC Alums: SMARTER Changes To FTC Merger Reviews

The Standard Merger and Acquisition Reviews Through Equal Rules Act — known as the "SMARTER Act" — simply seeks to codify how the Federal Trade Commission has used administrative litigation for proposed mergers in the past 20 years, and ensures that parties are subjected to the same legal standard when the FTC or DOJ seeks to block a merger, say former FTC Commissioner Terry Calvani and Hiram Andrews of Freshfields Bruckhaus Deringer LLP.

Food Equity Act Would Add USDA To CFIUS

Recently introduced legislation proposes to add the U.S. Department of Agriculture as a full member of the Committee on Foreign Investment in the United States. It is fair to say that the prospects for the bill are good, but if nothing else, it is certain to revive the debate over the nexus between national security and food supply, say attorneys at Stroock & Stroock & Lavan LLP.

4 Communications Fundamentals For High-Stakes Litigation

The court of public opinion can mete out judgments as harsh as those rendered by a court of law, which is why communications professionals and attorneys should be working together to protect their clients' reputation and advance their legal objectives as litigation proceeds, as well as when decisions or settlements are reached, say Michael Gross and Walter Montgomery at Finsbury.

LEGAL INDUSTRY

How To Survive After You Make Partner

Becoming partner makes lawyers' names more synonymous with their firms, but that added prestige comes with the weight of more responsibility — a burden that can be difficult to bear if new partners aren't ready or don't have the correct support infrastructure in place, experts say. Here, Law360 looks at the key factors new partners need to survive and ultimately thrive.

Litigation Powerhouse: Vinson & Elkins

Vinson & Elkins LLP's litigators have notched a slew of precedent-setting victories, including U.S. Supreme Court rulings rejecting an extension on the filing deadline for False Claims Act suits and establishing that social media posts aren't threats without intent, landing the firm on Law360's list of

Litigation Powerhouses.

Baker & McKenzie Posts 8% Revenue Growth

Baker & McKenzie LLP's revenue rose by 8 percent during the last fiscal year to \$2.62 billion, while its profits increased by 14 percent, the firm said Monday.

In-House Counsels Eye New Gigs As Pay Pressure Grows

Forty percent of in-house counsels say they would consider taking a new position because of compensation concerns, and rising BigLaw salaries are set to make pay disparities an even bigger issue for corporate employers, according to a new report.

Women Gain Traction In Japanese Legal Landscape

As BigLaw points its cannon at gender diversity, aiming to remedy the disparities in the legal profession, the effort seems to be taking hold in a country that has long lagged behind the rest of the developed world in gender equality: Japan.

E-Discovery Sanctions Way Down From Previous Years

Sanctions for federal e-discovery violations have undergone a steep decline in the first half of 2016 from a few years ago, according to a recent study by Gibson Dunn.

Clifford Chance Swaps Saudi Office For Association

Clifford Chance LLP has gotten rid of its Saudi Arabia office and has instead opted to enter into an association with a newly established law firm located in Riyadh, the firm said Monday.

Greenspoon Grows Fla. Tech Ties With Advocacy Nonprofit

Looking to solidify its foothold as South Florida builds a reputation as a hub for technology start-ups, Fort Lauderdale-based Greenspoon Marder PA announced Monday it has co-founded Innovation Florida, a nonprofit corporate advocacy group focused on advancing the industry locally.

Lewis Rice Sets Up New Firm Focused On Estate Planning

Lewis Rice LLC announced on Friday that it is opening up a string of new offices in and around its home base of St. Louis, which will operate under the TuckerAllen moniker and focus solely on estate planning.

Rainmaker Q&A: Day Pitney's Joy Harmon Sperling

I learned early on in my career that there are many smart attorneys out there, so I needed to distinguish myself. For me, that meant being the most responsive attorney I could be, while also letting clients know that I care about them personally, as well as professionally, says Joy Harmon Sperling, chair of the consumer finance and creditors' rights group at Day Pitney LLP.

Rainmaker Q&A: Brutzkus Gubner's Steven Gubner

Client development is like fly fishing. Don't be afraid to cast and know it may take years to land that first big client. However, if you don't ever put your hook in the river, you'll never know what's in it for you, says Steven Gubner, managing partner at Brutzkus Gubner Rozansky Seror Weber LLP.

JOBS

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